

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

DIANNA BURKINDINE

Plaintiff,

v.

CIVIL ACTION NO

REGIONAL ADJUSTMENT BUREAU, INC.

OCTOBER 21, 2009

Defendant.

COMPLAINT

1. Plaintiff seeks relief pursuant to the Fair Debt Collection Practices Act

("FDCPA"), 15 U.S.C. § 1692; Md. Ann. Code Commercial Law Maryland

Consumer Debt Collection Act. § 14-204 et seq. ("MCDCA"); and the Md. Ann.

Code Commercial Law Consumer Practices Act § 13-301 et seq.

2. The Court's jurisdiction is conferred by 15 U.S.C. 1692k and 28 U.S.C. 1331

and 1367.

3. Plaintiff is a natural person who resides in Churchville, MD.

4. Defendant is a licensed collection agency and has a place of business as

7000 Goodlett Farms Parkway, Cordova, TN 38016.

5. Plaintiff is a consumer within the FDCPA.

6. Defendant is a debt collector within the FDCPA.

7. Defendant is a collector within the MCDCA.

8. Defendant communicated with Plaintiff or others on or after one year before the date of this action, in connection with collection efforts with regard to Plaintiff's disputed personal debt.

9. The Plaintiff contacted the Defendant via telephone in an attempt to dispute a debt alleged by Defendant to be owed by Plaintiff.

10. The Defendant advised Plaintiff that she had no right to dispute the alleged debt owed. This statement is false misleading and deceptive in violation of §1692e and §1692g.

11. Plaintiff advised the defendant that she had already paid this debt in full, and that her credit report disclosed this account as paid in full and closed.

12. Defendant pulled or cause the Plaintiff's credit report to be pulled on 3 separate occasions including July 24, 2009, August 5, 2009 and August 6, 2009 in violation of the FCRA.

13. Defendant called the Plaintiff numerous times per day in an attempt to harass or annoy in violation of the Act.

14. In the collection efforts, the Defendant violated the FDCPA; inter alia, section 1692c, e and g.

SECOND COUNT:

15. The allegations of the First Count are repeated and realleged as if fully set forth herein.

16. The Plaintiff disputed the accuracy of the amount of the debt Regional Adjustment Bureau was attempting to collect and so advised the Defendant.

17. Regional Adjustment Bureau willfully or negligently pulled or caused the credit report of the Plaintiff to be pulled on 3 separate occasions including July 24, 2009, August 5, 2009 and August 6, 2009 in violation of the FCRA.

18. As a result of the above alleged FCRA violations, Plaintiff has suffered substantial actual damages in frustration, anger humiliation, fee, embarrassment and other emotional and mental anguish.

19. As a result of these FCRA violations, defendant is liable to Plaintiff for statutory damages from \$100.00 to \$1,000.00 pursuant to 15 U.S.C. 1681n(a)(2), and for attorneys fees and costs pursuant to 1681n and 1681o.

THIRD COUNT

20. The allegations of the First Count are repeated and realleged as if fully set forth herein.

21. Within three years prior to the date of this action Defendant has engaged in acts and practices as to Plaintiff in violation of the Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act § 14-204 et seq. (“MCDCA”).

22. Defendant has committed unfair or deceptive acts or practices within the meaning of the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.

WHEREFORE Plaintiff respectfully requests this Court to:

1. Award Plaintiff statutory damages pursuant to the FDCPA on Count I.
2. Award Plaintiff statutory damages pursuant to the FCRA on Count II.
3. Award Plaintiff statutory damages pursuant to the MCDCA on Count III.
4. Award such other and further relief as this Court may see fit.

THE PLAINTIFF  
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